IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.111 OF 2005

M/s. Chemosol Industries (I) Pvt. Ltd.
..Petitioner.
Vs.
M/s. DAT Industries Pvt. Ltd. ..Company.

Mr. G.B. Kedia for the Petitioner.

Mr. M.D. Jadhav with Mr. Rajesh N. Kachare for the Respondent.

CORAM : A.M. KHANWILKAR, J.
DATED : 14/7/2005

P.C.:

1. By consent, following order is passed.

a) The respondent company shall deposit sum of Rs.3,65,000/- in this court within 4-weeks from today. The said amount will be transferred to the suit account in the proposed suit to be filed by the petitioner for the appropriate relief as may be advised. If such suit is not filed within 8-weeks from today and appropriate orders are not sought from the concerned court in that behalf for transfer of the amount, it will be open to the respondent company to withdraw the amount deposited in this court pursuant to the present order. On compliance

with the above condition by the respondent, petition shall stand disposed of.

b) However, in case the respondent fails to deposit the amount within prescribed time, the petition be treated as admitted and it will be open to the petitioner to advertise the admission of petition. Notice to be published in Free Press Journal, Navshakti and Government Gazette. The petitioner to deposit a sum of Rs.2000/- with the Prothonotary and Sr. Master of this court within a period of four weeks from today.

. Ordered accordingly.

(A.M. KHANWILKAR,J.)